

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES,

-v-

LUIS NORBERTO GONZALEZ  
ACOSTA,

Defendant.

18-cr-50 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

Defendant Luis Norberto Gonzalez Acosta has filed a motion for a sentence reduction based on retroactive application of Amendment 782 and Amendment 821 to the sentencing guidelines or, in the alternative, for appointment of counsel in connection with such a motion. See Dkt. 58. However, as explained in the Government's opposition, see Dkt. 59, defendant pled guilty to Count One of conspiracy to distribute and possess with intent to distribute one kilogram or more of heroin, in violation of 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A), which carries a ten-year mandatory minimum term of imprisonment. Because defendant was sentenced to ten years' imprisonment, see Dkt. 51, the Court lacks the authority to reduce defendant's sentence further, and Amendment 782 and Amendment 821 are inapplicable. Accordingly, the Court hereby denies defendant's motion.

New York, NY  
April 29, 2024

  
JED S. RAKOFF, U.S.D.J.